

550  
New**COMPLAINT BY A PRISONER UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §§ 1983****FILED**

FEB 25 2008

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIAName FOSTER CLEAVON Y  
(Last) (First) (Initial)Prisoner Number #2350166Institutional Address COUNTY JAIL #5' P.O. BOX 67'  
SAN BRUNO' CALIFORNIA - 94066UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JSW

CLEAVON Y. FOSTER  
(Enter the full name of plaintiff in this action.)

CV

08

1125

vs.

Case No. \_\_\_\_\_  
(To be provided by the clerk of court)DISTRICT ATTORNEY  
MS. KAMALA HARRISCOMPLAINT UNDER THE  
CIVIL RIGHTS ACT,  
42 U.S.C. §§ 1983

(PR)

(Enter the full name of the defendant(s) in this action))

E-filing

**[All questions on this complaint form must be answered in order for your action to proceed..]**I. Exhaustion of Administrative Remedies**[Note:** You must exhaust your administrative remedies before your claim can go forward. The court will dismiss any unexhausted claims.]A. Place of present confinement SAN FRANCISCO COUNTY JAIL #5

B. Is there a grievance procedure in this institution?

YES ☒ NO ( )

C. Did you present the facts in your complaint for review through the grievance procedure?

YES ( ) NO ☒

D. If your answer is YES, list the appeal number and the date and result of the

COMPLAINT

- 1 -

008-1125JSW

appeal at each level of review. If you did not pursue a certain level of appeal, explain why.

1. Informal appeal THIS Petition does not  
WARRANT ADMINISTRATIVE REVIEW

2. First formal level NA

3. Second formal level NA

4 Third formal level NA

E. Is the last level to which you appealed the highest level of appeal available to you?

YES ( ) NO ☒

F. If you did not present your claim for review through the grievance procedure, explain why. THIS Petition does not WARRANT  
ADMINISTRATIVE REVIEW

## II. Parties

A. Write your name and your present address. Do the same for additional plaintiffs, if any.

CLAYTON Y. FOSTER ' COUNTY JAIL #5'  
P.O. BOX 67 ' SAN BRUNO ' CA - 94066

B. Write the full name of each defendant, his or her official position, and his or her

place of employment.

DISTRICT ATTORNEY ~ MS. KAMALA HARRIS  
HALL OF JUSTICE ' 850 BRYANT STREET '  
SAN FRANCISCO ' CALIFORNIA - 94103

III.

#### Statement of Claim

State here as briefly as possible the facts of your case. Be sure to describe how each defendant is involved and to include dates, when possible. Do not give any legal arguments or cite any cases or statutes. If you have more than one claim, each claim should be set forth in a separate numbered paragraph.

I WAS ARRESTED ON JAN. 8<sup>TH</sup>, 2008. HELD IN CUSTODY. THEN TAKEN TO A ARRAIGNMENT HEARING ON JAN. 15<sup>TH</sup>, 2008. WHICH IS "7" DAYS AFTER MY ARREST. THIS IS A - DIRECT VIOLATION OF PENAL CODE # 825. A VIOLATION OF MY DUE PROCESS RIGHTS UNDER THE 5<sup>TH</sup> AND 14<sup>TH</sup> AMENDMENTS TO THE UNITED STATES CONSTITUTION. VIOLATION OF THIS STATUTE HAS IMPAIRED AND PREJUDICED MY ABILITY FOR A DEFENSE. I HAVE WRITTEN TO THE COURTS ASKING FOR THEM TO STOP THIS ILLEGAL PRACTICE...

#### IV. Relief

Your complaint cannot go forward unless you request specific relief. State briefly exactly what you want the court to do for you. Make no legal arguments; cite no cases or statutes.

1 I AM ASKING FOR \$999.<sup>99</sup>/<sub>100</sub> PER EACH DAY  
2 THAT I AM UNLAWFULLY DETAINED. I AM  
3 SUFFERING GREATLY FROM STRESS. I AM  
4 AND A DISMISSAL OF THIS ILLEGAL PROSECUTION  
5  
6

7 I declare under penalty of perjury that the foregoing is true and correct.  
8

9 Signed this February day of 10<sup>th</sup>, 2008  
10

11 Cleavon Foster  
12

13 (Plaintiff's signature)  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

31K CLANON Y. FOSBIR # 2350166  
COUNTY 201715 - P.O. Box 67  
SAN BRUNO, CA 94066



RECEIVED  
CLERK OF THE DISTRICT COURT OF  
NORTHERN DISTRICT OF CALIFORNIA

\*CONFIDENTIAL\*

Post

To: Clerk of the United States District  
Court for the Northern District of California  
450 - Golden Gate Avenue  
SAN FRANCISCO, CALIFORNIA

9410233661 0004  
(zip code) 94102